

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

KIMBERLY and JOHN STAPLES,

Plaintiffs,

v.

H. WALKER ENTERPRISES, LLC,  
RENAISSANCE MAN FOOD  
SERVICES, LLC, and SIMMONS

Defendants.

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Case No. 7:18-cv-00160-LSC

**DEFENDANT SIMMONS PREPARED FOODS, INC.’S  
MOTION FOR SUMMARY JUDGMENT**

Defendant Simmons Prepared Foods, Inc. (“Simmons”) files this Motion For Summary Judgment, seeking judgment as a matter of law on each of Plaintiffs Kimberly and John Staples’ (collectively, “Plaintiffs”) claims in their Third Amended Complaint (Doc. 38). In support of this Motion, Simmons relies on and incorporates herewith its Brief in Support of its Motion for Summary Judgment and its Evidentiary Submission in Support of its Motion for Summary Judgment.

For all of the reasons set forth in Simmons’ accompanying Brief in Support of its Motion for Summary Judgment and Evidentiary Submission in Support of its Motion for Summary Judgment, Simmons respectfully requests that the Court grant this Motion in its entirety, and enter summary judgment in favor of Simmons on each of Plaintiffs’ claims.

Respectfully submitted,

/s/ Talley R. Parker

Thomas A. Davis (ASB-5877-S56T)

**JACKSON LEWIS P.C.**

800 Shades Creek Parkway, Suite 870

Birmingham, AL 35209

Telephone: 205-332-3101

Facsimile: 205-332-3131

DavisT@jacksonlewis.com

Talley R. Parker

Texas Bar No. 24065872

(Admitted *Pro Hac Vice*)

**JACKSON LEWIS P.C.**

500 N. Akard, Suite 2500

Dallas, Texas 75201

Telephone: 214-520-2400

Facsimile: 214-520-2008

talley.parker@jacksonlewis.com

**ATTORNEYS FOR DEFENDANT  
SIMMONS PREPARED FOODS, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of February, 2019, a true and correct copy of the foregoing motion has been served via the Court's CM/ECF filing system upon the following counsel of record:

Keri Donald Simms  
Webster Henry Firm, P.C.  
Suite 445 East  
Two Perimeter Park South  
Birmingham, Alabama 35243  
ksimms@websterhenry.com

***Counsel for Plaintiffs***  
***Kimberly Staples and John Staples***

George W. Walker, III  
**THE FINLEY FIRM, P.C.**  
P.O. Box 3596 (36831)  
611 E Glenn Ave.  
Auburn, Alabama 36830  
gwwalker@thefinleyfirm.com

Michael J. King (Admitted *Pro Hac Vice*)  
**GREENBERG TRAUIG, LLP**  
3333 Piedmont Road NE  
Terminus 200, Suite 2500  
Atlanta, Georgia 30305  
kingm@gtlaw.com

***Counsel for Defendants***  
***H. Walker Enterprises, LLC and***  
***Renaissance Man Food Services, LLC***

/s/ Talley R. Parker  
\_\_\_\_\_  
Talley R. Parker